

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

NICHOLAS J. KINSTLE,

Plaintiff,

v.

**PICKAWAY CORRECTIONAL
INSTITUTE, et al.,**

Defendants.

Case No. 2:13-cv-1246

JUDGE GREGORY L. FROST

Magistrate Judge Terence P. Kemp

ORDER

On March 5, 2014, the Magistrate Judge filed an Order warning Plaintiff that if he did not take steps to effectuate service of his complaint by April 16, 2014, the case may be dismissed without prejudice pursuant to Federal Rule of Civil procedure 4(m). (ECF No. 7, at Page ID # 485.) Plaintiff objected to that Order, and this Court denied those objections in an April 2, 2014 Order. (ECF No. 9.) That Order also provided that “[b]y April 16, 2014, Plaintiff must take the steps necessary to permit the Marshal to serve the complaint.” (*Id.* at Page ID # 494.) Despite the warning of possible dismissal, Plaintiff has failed to effectuate service of his complaint. Accordingly, the Court **DISMISSES** this action **WITHOUT PREJUDICE**. The Clerk shall enter judgment accordingly and terminate this action on the docket records of the United States District Court for the Southern District of Ohio, Eastern Division.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE